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**SEP 25 2006**

**OFFICE OF PETITIONS**

In re Application of Carter	:	
Application No. 10/716,194	:	Decision on Petition
Filing Date: November 18, 2003	:	
Attorney Docket No. 17570	:	

This is a decision on the petition under 37 CFR 1.137(b), filed May 23, 2006, to revive the above-identified application.

The petition is **granted**.

The above-identified application became abandoned for failure to reply in a timely manner to the Notice to File Missing Parts of Application (Notice) mailed February 27, 2004. The Notice set a period for reply of two (2) months from the mail date of the Notice. An extension of time under the provisions of 37 CFR 1.136(a) was not obtained. Accordingly, the above-identified application became abandoned as of midnight on April 27, 2004. A Notice of Abandonment was mailed on December 1, 2004.

The instant petition requests revival of the application.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b). Therefore, the petition is granted and the application is revived.

Payment for an extension of time is unnecessary when filing a petition under 37 CFR 1.137. Therefore, the Office has scheduled a refund of the \$1,080 extension of time fee submitted with the petition.

The Office of Initial Patent Examination will be informed of the instant decision and will prepare the application for examination in due course.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

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